

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

CODY FULLER,

Movant,

v.

Civil Action No. 2:16-cv-05221  
Criminal Action No. 2:13-cr-00044-1

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, entered on June 25, 2018; and the magistrate judge having recommended that the court deny movant Cody Fuller's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 and his motions to amend his section 2255 motion; and deny as moot his letter-form motions for relief under Johnson/Welch and for appointment of counsel; and dismiss this civil action from the docket of the court; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

1. The findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein;

2. Movant Cody Fuller's motion to vacate, set aside, or

correct sentence pursuant to 28 U.S.C. § 2255, be, and it hereby is, denied; and

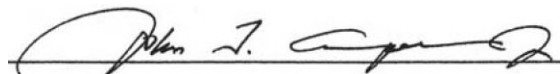
3. Movant's motions to amend his Section 2255 motion be, and they hereby are, denied; and

4. Movant's letter-form motions for relief under Johnson/Welch and for appointment of counsel, be, and they hereby are, denied as moot.

It is, therefore, ORDERED that the movant's complaint be, and it hereby is, dismissed.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and the United States Magistrate Judge.

DATED: September 11, 2018

A handwritten signature in black ink, appearing to read "John T. Copenhaver, Jr.", is written over a horizontal line.

John T. Copenhaver, Jr.  
United States District Judge